

Planning Commission Hearing Minutes
DATE: July 10, 2017

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Barbara Nicklas – Chair Arlene Perkins – Vice Chair Kelly Russell – Alderman & Secretary Ron Burns Alan Imhoff – Alternate	Katie Isaac	Gabrielle Collard, Division Manager of Current Planning Cherian Eapen, Traffic Engineer Scott Waxter, Assistant City Attorney Tierre Butler, City Planner Grace Bogdan, City Planner Jessica Murphy, Administrative Assistant

I. ANNOUNCEMENTS:

Ms. Collard advised the Planning Commission and the public that the Workshop Agenda with attachments would be available online Tuesday June 13th, 2017.

II. APPROVAL OF MINUTES:

Approval of the **June 12, 2017** Planning Commission Meeting Minutes as amended:

MOTION: Commissioner Perkins

SECOND: Commissioner Imhoff

VOTE: 5-0.

Approval of the **June 19, 2017** Planning Commission Workshop Minutes as amended:

MOTION: Commissioner Perkins

SECOND: Commissioner Imhoff

VOTE: 4-0. Commissioner Nicklas Abstained.

Approval of the **July 7, 2017** Pre-Planning Commission Minutes as amended:

MOTION: Commissioner Perkins

SECOND: Commissioner Imhoff

VOTE: 5-0.

III. PUBLIC HEARING-SWEARING IN:

"Do you solemnly swear or affirm that the responses given and statements made in this hearing before the Planning Commission will be the whole truth and nothing but the truth." If so, answer "I do".

IV. PUBLIC HEARING-CONSENT ITEMS:

(All matters included under the Consent Agenda are considered to be routine by the Planning Commission. They will be enacted by one motion in the form listed below, without separate discussion of each item, unless any person present – Planning Commissioner, Planning Staff or citizen -- requests an item or items to be removed from the Consent Agenda. Any item removed from the Consent Agenda will be considered separately at the end of the Consent Agenda. If you would like any of the items below considered separately, please say so when the Planning Commission Chairman announces the Consent Agenda.)

V. CONTINUANCES:

- A. PC16-695PSU, Preliminary Subdivision Plat, Gateway East Plaza
- B. PC16-696FSI, Final Site Plan, Gateway East Plaza
- C. PC16-697PFCP, Preliminary Forest Conservation Plan, Gateway East Plaza

MOTION: Commissioner Perkins moved to approve a 30 day continuance for the projects until the August 14th, 2017 Planning Commission Hearing.

SECOND: Commissioner Imhoff

VOTE: 5-0

VI. OLD BUSINESS:

- D. PC17-319ZMA, Zoning Map Amendment, 27 Franklin Street

Ms. Bogdan entered the entire staff report into the record. There was no public comment on this item.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved to send a positive resolution from the Planning Commission to the Mayor and Board of Aldermen for PC17-319ZMA finding that the request implements the policies of the Comprehensive Plan in order to remove the Open Space (PRK) floating zone and to apply the Institutional (IST) floating zone on the Property while retaining the Airport Overlay (AO) designation based on the following findings:

1. Application of the IST zoning district will not have an impact on population change.
2. The Property is already improved with access to public facilities such as water, sewer, and roads.

3. There are no proposed improvements to transportation patterns within surrounding area of the Property, and the application of the IST floating zone would not impact existing transportation patterns.
4. Application of the IST floating zone is compatible with the existing development as the Property's main structure was constructed in 1924, and is central to the character of the surrounding area.
5. This map amendment is consistent with Land Use Element Policy 1, Historic Resources Element Policy 6, and Recreation Element Policy 8.
6. Criteria established in Section 409 of the Land Management Code for the application of the IST floating zone does not apply to this particular Property as the facility, a place of worship, already exists at this location and has been in operation for several decades.

SECOND: Commissioner Imhoff

VOTE: 5-0

E. PC17-323ZMA, Zoning Map Amendment, Mt. Olivet Cemetery

Ms. Collard entered the entire staff report into the record. There was public comment on this item.

Thomas Overbey at 442 Carrollton understands and appreciates what Mt. Olivet is trying to do and that they could certainly use the funding. He also agrees with staff that productive use needs to be made of the land if it is to be sold. However, Mr. Overbey stated that the corner of NAC 10 of where he lives can't handle an additional influx of 100 dwellings. He advises the traffic is already a nightmare, with overcrowding on any road that goes against Prospect or Center Street. Also, advising it's hazardous for pedestrians, children and cyclists. He believes there needs to be a thorough traffic impact study completed and changes be made before the proposed plan is approved as he feels the plan is not the best of ideas.

Jennifer Tagus at 437 Carrollton understands that the hearing is for the zoning itself, but questions whether that dense of a population can fit in the area. She rides a motorcycle and advises it's already difficult to get around corners and drive on the roads with the traffic that already exists. She has concerns with the extra traffic that will be in the area not just for motorcycles, but also cyclists. She mentions that not too long ago there was a motorcycle accident right in front of 442 Carrollton Drive where, because of increased traffic and parking on each side of the street, there was gravel in the area and the person ended up hitting a parked car.

Emily Roy at 354 Catoctin Avenue asks the Commission to keep an open mind on ways to make the project work for the people who already live in the neighborhood who were expecting the property to stay a graveyard.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Perkins moved to send a positive resolution from the Planning Commission to the Mayor and Board of Aldermen finding that the request implements the policies of the Comprehensive Plan and is consistent with the provisions of the LMC, for the rezoning of 12.74 acres of the property at 515 S. Market Street to remove the Institutional (IST) floating zone, thereby reinstating

the Medium Density Residential, R8 zoning designation while maintaining the Highway Noise Overlay (HNO) zone.

SECOND: Commissioner Imhoff

VOTE: 5-0

VII. NEW BUSINESS:

F. PC17-311FSU, Final Subdivision Plat, LJM Family Properties, LLC Addition to LJM Family Properties, LLC

Ms. Butler entered the entire staff report into the record. There was no public comment on this item.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved to approve PC17-311FSU in accordance with Article 5 of the Land Management Code, to resubdivide portions of the properties located at 423-425, 427, and 429 N. Market Street for the purposes of adding land to 430 Klineharts Alley finding that:

1. The resulting lots are in compliance with all the applicable standards of Article 4, 5,6,7,and 8
2. The final subdivision plat is consistent with the 2010 Comprehensive Plan Land Use Map and Land Use of the Comprehensive Plan

With the conditions that:

1. That the title of the plat be revised to resubdivision plat.
2. Prior to plat recordation an easement providing cross access over Parcel 1772 for the benefit of Parcel 1622 (429 N Market Street) be depicted on the plat and the recording reference for that document labeled on the plat.

SECOND: Commissioner Perkins

VOTE: 5-0

G. PC17-421PCM, Fence Modification, Waverley View

Ms. Collard entered the entire staff report into the record. There was no public comment on this item.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Burns moved to approve PC17-421PCM for a modification for the construction of vinyl fences, 3'and 4' in height along public right-of-ways, based on compliance with the modification criteria established under Section 309(j) and Section 821(d) of the LMC, with the following conditions:

1. Verify the exact stormwater fence height and provide new details of the 4' stormwater protection fence with chain link or wire mesh to meet the requirements that the fencing not be easily scaled or climbed and not penetrable.
2. Label the sight triangles and distance measurements at every intersection where fencing is proposed for Engineering approval.
3. Provide landscape sheets as part of the drawing set to verify that the fence does not impact proposed street trees in public easements.
4. Delineate public utilities in conflict with fence for which easement agreements shall be executed and recorded.
5. That the fencing along Shookstown Road in the vicinity of Lot 162 be depicted to clearly terminate in a manner that does not obstruct the intersection of the two sidewalks and that a note be added to the plan indicating that the fencing abutting the portion of Ferguson Drive that will be dedicated as public right-of-way will be removed upon dedication of that right-of-way.

SECOND: Commissioner Perkins

VOTE: 5-0

H. PC17-213FSI, Final Site Plan, Renn Parkland

Ms. Collard entered the entire staff report into the record. There was public comment on this item.

Jim Mole who resides on North East Street, but who is a future homeowner in the Eastchurch Street development is very excited about the project to see parkland preserved since he will be living across the street. He likes the idea of the connecting paths. Mr. Mole doesn't feel that City should take ownership of the boardwalks as they are a safety concern, are trip hazards and a maintenance cost nightmare. He advised there are better methods that can be used. He had questions about parking, traffic and road improvements. He is concerned with safety in the Eastchurch Street Development if that's where overflow parking is indeed supposed to be. He advises more thought and planning should be put into where parking will be and overall traffic in general. Mr. Mole would like more elaboration about the easement agreement mentioned in the staff report.

PLANNING COMMISSION ACTION:

MOTION: Commissioner Perkins moved to approve PC17-213FSI In accordance with Section 309 and Section 608 of the LMC and the master plan approval for the Renn parkland dedication with the following conditions to be met:

1. Provide landscape sheet(s) signed and sealed by licensed Landscape Architect for staff review and approval.
2. Edit Note 4:
 - a. Note Section 608(e) modification approval date.
 - b. Note Section 608(f)(3) modification approval date. Add note that cost estimate to be finalized and approved with improvement plans by the Engineering Department.
 - c. Obtain Mayor and Board approval for Section 608(e)(4) to plant forest in public park and provide date of approval.
3. That a note be added to the plan indicating that Applicant will obtain a construction and access easement agreement from Eastchurch property owner and/or Eastchurch HOA for path crossing

and potential improvements for community events or will negotiate for the dedication of that land areas as part of the parkland dedication.

4. Add note on plan that stream restoration plan to be approved by the Engineering Department.
5. Provide bike racks as a detail to be determined as part of Note 15 referencing coordination with Parks and Recreation and Engineering staff at the improvement plan stage.
6. Technical cleanup:
 - a. Note 9, typo correction "applicable."
 - b. In the Legend, 5' sensitive area Shared Use path.

That a note be added to the final site plan that bollards to be used to prevent unauthorized vehicular access to trails be removable so as to ensure access by emergency vehicles and maintenance equipment.

SECOND: Commissioner Perkins

VOTE: 5-0

I. PC17-413ZMA, Zoning Map Amendment, Frederick Corner

Ms. Bogdan entered the entire staff report into the record. There was no public comment on this item.

PLANNING COMMISSION ACTION:

This is the first of two required public hearings.

Meeting approximately adjourned at 7:55pm

Respectfully Submitted,

Jessica Murphy
Administrative Assistant